United Nations S/2001/1069

Security Council

Distr.: General
9 November 2001

Original: English

Letter dated 27 September 2001 from the President of the Governing Council of the United Nations Compensation Commission addressed to the President of the Security Council

The Governing Council of the United Nations Compensation Commission has concluded its forty-first session, which was held at Geneva from 25 to 27 September 2001. Representatives of Kuwait, Iraq, Sri Lanka and Palestine addressed the Council during its opening plenary meeting. The statements of the delegations are being sent with the original of this letter.

During the session the Council considered six reports and recommendations made by the Panels of Commissioners in the E1, E2, E3 and E4 categories of claims. The report on category E1 claims is concerned with oil sector claims, the report on category E2 claims is concerned with the review of claims filed on behalf of corporations and other business entities not incorporated in Kuwait, the reports on category E3 claims are concerned with the review of non-Kuwaiti construction and engineering claims, and the reports on category E4 claims are concerned with the review of Kuwaiti private sector claims. The tables provide details of the amounts of compensation claimed in the reports and the amounts awarded by the Governing Council.

The Governing Council considered the report of the Executive Secretary: summary of activities, covering the period from 1 May to 31 July 2001. The report covers the processing of claims, the withdrawal of claims and the payment of approved claims.

The Council discussed several issues relating to the processing and payment of claims, including the fifteenth report of the Executive Secretary pursuant to article 41 of the Provisional Rules for Claims Procedure, and approved corrections to certain category A, D and E claims. The Council also received an information note prepared by the secretariat concerning the establishment of a final date for considering requests for article 41 corrections to category A and C claims, and referred this matter to the Working Group at its next informal meeting, prior to further consideration by the Council at its forty-second session.

The Council considered the intervention made by the representative of the Permanent Observer Mission of Palestine at the opening plenary meeting concerning the late filing of a number of Palestinian claims. The Council requested the secretariat to obtain additional information concerning the request for the Council's consideration at the next session.

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The Council also considered previously made requests from a number of Governments concerning the filing and processing of claims. The Government of Sri Lanka requested the reconsideration of over 4,000 individual claims in category A, the Government of Lebanon requested the late filing of 16 individual claims in category A, and the Government of the Sudan requested an adjustment to the amount of compensation awarded to certain category A claimants. The Council requested the secretariat to obtain additional information concerning two of the requests, and recommended that all of these matters be referred to the Working Group at an informal meeting, prior to further consideration by the Council at the forty-second session.

The Council considered the request of the Government of the Niger concerning a previously filed category C claim that has not yet been processed because of a technical error, and the request of the Government of Yugoslavia concerning the filing of seven category A claims that were submitted before the expiry of filing deadlines but have not been processed, owing to ambiguity as to the authority of the submitting entity. The Council accepted both of the requests and referred the claims to the D1 Panel of Commissioners for its consideration and review.

The Council considered a note containing information about the management initiatives to be implemented by the secretariat to ensure the orderly completion of the activities of the Compensation Commission.

The Council considered and took note of the report of the Executive Secretary on the distribution of payments and transparency, and the return of undistributed funds, and requested the secretariat to continue to inform the Council of the reports of Governments and international organizations on the distribution of payments and the return of undistributed funds.

Finally, the Governing Council decided to hold its forty-second session from 11 to 13 December 2001.

(*Signed*) Sverre Bergh **Johansen**
President of the Governing Council

Annex

Documents before the Compensation Commission at its forty-first session

1. Report and recommendations made by the Panel of Commissioners concerning the sixth instalment of E1 claims (S/AC.26/2001/18)
2. Decision concerning the sixth instalment of E1 claims (S/AC.26/Dec.134 (2001))
3. Report and recommendations made by the Panel of Commissioners concerning the eighth instalment of E2 claims (S/AC.26/2001/19)
4. Decision concerning the eight instalment of E2 claims (S/AC.26/Dec.135 (2001))
5. Report and recommendations made by the Panel of Commissioners concerning the twentieth instalment of E3 claims (S/AC.26/2001/20)
6. Decision concerning the twentieth instalment of E3 claims (S/AC.26/Dec.136 (2001))
7. Report and recommendations made by the Panel of Commissioners concerning the twenty-first instalment of E3 claims (S/AC.26/2001/21)
8. Decision concerning the twenty-first instalment of E3 claims (S/AC.26/Dec.137 (2001))
9. Report and recommendations made by the Panel of Commissioners concerning the fourteenth instalment of E4 claims (S/AC.26/2001/22)
10. Decision concerning the fourteenth instalment of E4 claims (S/AC.26/Dec.138 (2001))
11. Report and recommendations made by the Panel of Commissioners concerning the sixteenth instalment of E4 claims (S/AC.26/2001/23)
12. Decision concerning the sixteenth instalment of E4 claims (S/AC.26/Dec.139 (2001))
13. Fifteenth report of the Executive Secretary pursuant to article 41 of the Provisional Rules for Claims Procedure (S/AC.26/2001/24)
14. Decision concerning corrections pursuant to article 41 of the Provisional Rules for Claims Procedure (S/AC.26/Dec.140 (2001))